# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
S106/24/0007
Mowbray Development Site, Horsham, West Sussex,

DESCRIPTION:
Discharge S106 obligation (DC/16/1677) relating to Schedule 2, Part 1 in relation to the Third Party Land Access Plan for Phase 1.

RELEVANT PLANNING HISTORY:

| | | |
|---|---|---|
| DC/16/1677 | Outline planning application with all matters reserved except access for a mixed use strategic development to include housing (up to 2,750 dwellings), business park (up to 46,450 m2), retail, community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure | Application Permitted on 01.03.2018 |
| DC/19/0984 | Non material amendments to approved application DC/16/1677 (the North Horsham Development site) for amendments to the wording of conditions 5,7,8,9,11,12,13,14,16,17,18,19,22,28, 31 & 54 and the introduction of a new condition to enable the Principal Access Works to come forward | Application Permitted on 12.06.2019 |
| DC/21/0181 | Non Material Amendment to condition 2 of DC/16/1677 (Outline planning permission for Land North of Horsham strategic site) to amend all parameter plans. | Application Permitted 12.03.2021 |

PLANNING ASSESSMENT
Outline Planning Permission was granted for the for development of the North of Horsham site in March 2018. Permission was granted subject to conditions and a s.106 Agreement.

Schedule 2, Part 1, Paragraph 6 of the legal agreement requires the 'Owners' to undertake the following:

'*6.1 To submit the TP Land Access Plan to the District Council for approval; and*

*6.2 Not to occupy more than 100 Housing Units on Liberty Land in Phase 1 until the TP Land Access Plan has been approved in writing by the District Council*.'

Under this application, the application is seeking to approve the Third Party Access Plan for Phase 1. This relates to the access between the Liberty Land and the Devine Land as Sub Phase 1E (also known as RM Area 10).

Under the 106 agreement, TP Land Access Plan is defined as follows:

*'means the plan showing the proposed locations of access links at the boundaries of Third Party Land with Liberty Land to be submitted to the District Council for approval pursuant to paragraph 6.1 of Part 1.'*

To comply with the requirements of the obligation, a plan has been submitted which shows the following access links:

- Equestrian Access. This allows access to the southern part of the site to basins along the southern boundary.
- Vehicular Access: The vehicle access is in a central position and would join the Southern Link road constructed within Phase 1.
- Pedestrian / Cycle Access: This is to the northern part of the site, utilising the existing right of way. This links into the East / West Greenspace which has mostly been constructed.

It is expected that all of the above links will be complete in 2024. The details submitted are in accordance with the plans shown under Reserved Matters application DC/22/1494 for RM Area 10. North Horsham Parish have no objection to the application.

The details are considered acceptable and the requirements of the obligation (in relation to Phase 1) have been satisfied.

**Recommendation: Application Permitted**

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

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**Plans list for: S106/24/0007**
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|
| Plans | Devine Homes Phase 1 S106 Third Party Access Plan | MOW-GLA-DEV-PH1-D-C-1101 P2 | 10.05.2024 |

**DELEGATED**

Case Officer sign/initial Jason Hawkes Date: 24.07.2024

Authorising Officer sign/initial Adrian Smith Date: 24/07/2024